

**IN THE NAME OF THE REPUBLIC OF ARMENIA
DECISION OF THE CONSTITUTIONAL COURT OF
THE REPUBLIC OF ARMENIA**

ON THE CASE CONCERNING THE CONSTITUTIONALITY OF ARTICLE 35 § 1 OF THE CONSTITUTIONAL LAW JUDICIAL CODE OF THE REPUBLIC OF ARMENIA, AND ARTICLE 3 § 1(1) OF THE ADMINISTRATIVE PROCEDURE CODE OF THE REPUBLIC OF ARMENIA INsofar AS IT PROVIDES FOR AN APPEAL TO THE ADMINISTRATIVE COURT AGAINST THE DECISIONS OF THE SUPREME JUDICIAL COUNCIL MADE IN THE EXERCISE OF POWERS ENVISAGED BY ARTICLE 175 § 1(1-4) OF THE CONSTITUTION, RAISED BY THE APPLICATION OF THE PRESIDENT OF THE REPUBLIC

Based on the examination of the case and subject to Article 168(1), Article 169 § 1(4), and Article 170 §§ 1 and 4-5 of the Constitution, as well as guided by Articles 63 and 64, Article 68 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS:**

1. Article 35 § 1 of the Constitutional Law Judicial Code of the Republic of Armenia complies with the Constitution by the interpretation that a person appointed as a chairperson of the Cassation Court chamber, whose powers have been automatically terminated due to the abolishment of the chamber (regardless of the term of his or her office as a chairperson of the chamber), cannot be appointed as a chairperson of any chamber of the Cassation Court.

2. Article 3 § 1(1) of the Administrative Procedure Code of the Republic of Armenia complies with the Constitution by the interpretation that the decisions of the Supreme Judicial Council made in the exercise of powers envisaged by Article 175 § 1(1-4) of the Constitution are not subject to appeal in court.

3. Pursuant to Article 170 § 2 of the Constitution, this Decision shall be final and shall enter into force upon its promulgation.

PRESIDENT

A. DILANYAN

2 June 2023

DCC-1691